



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.2485 OF 2024 IN
FIRST APPEAL NO.1531 OF 2019

VIDC, through EE, Yavatmal .Vs. Nilkanth Bhojraj Rathod (Dead) through LRs.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri N.A. Waghmare, Adv. h/f Shri P.B. Patil, Adv. for appellant.

Ms Dhande, A.G.P. for respondent/State.

Shri A.B. Nakshane, advocate for respondent Nos.1A to
1C/Cross-objectors/applicants.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 19/09/2024

1. This is an application for modification of the order dated 29.07.2024.
2. Perused the application.
3. Heard learned advocates for both sides.
4. The learned advocate for the respondents submits that, the claimants have only solvent surety of Rs.22,00,000/- they could not get the solvent surety of Rs.34,16,070/-.
5. Considering the solvent surety of Rs.22,00,000/- the order dated 29.07.2024 deserves to be modified.
6. Registry is directed to pay the balance amount of Rs.34,16,070/- to the claimant on furnishing solvent surety/security Rs.22,00,000/- and rest of the amount be paid on usual undertaking.

7. Rest of the earlier order dated 29.07.2024 is maintained.
8. The application is **allowed** and **disposed of**.

(SANJAY A. DESHMUKH, J.)